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09 MAY 2007

In re Application of  
BROOM, Murray F.  
U.S. Application No.: 10/568,705  
PCT No.: PCT/NZ2004/000191  
Int. Filing Date: 20 August 2004  
Priority Date: 21 August 2003  
Attorney Docket No.: 061967-0103  
For: SAMPLING DEVICE

**DECISION**

This decision is in response to the papers filed 08 December 2006 which are treated as a renewed petition under 37 CFR 1.47(b).

**BACKGROUND**

On 07 November 2006, a decision dismissing applicant's petition under 37 CFR 1.47(b) was mailed. The 37 CFR 1.47(b) applicant failed to meet the requirements of item (5) of 37 CFR 1.47(b).

On 08 December 2006, petitioner submitted the required statement under 37 CFR 3.73(b).

**DISCUSSION**

Applicant satisfied items (1), (3), (4) and (6) of 37 CFR 1.47(b) in the initial petition.

Regarding item (5), petitioner claimed sufficient propriety interest by virtue of an assignment to Global Technologies (NZ) Ltd. However, petitioner did not provide a statement under 37 CFR 3.73(b) by the assignee as required by section 409.03(f) of the MPEP.

In the renewed petition, the 37 CFR 1.47(b) applicant has provided a statement under 37 CFR 3.73(b) by the assignee. The statement was signed by Diana F. Hill, the Chief Executive Officer of the assignee, Global Technologies (NZ) Ltd. A statement that Ms. Hill is authorized to act on behalf of the assignee was also included. Item (5) is now complete.

Accordingly, the 37 CFR 1.47(b) applicant has now met all of the requirements of 37 CFR 1.47(b).

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**CONCLUSION**

Applicant's renewed petition under 37 CFR 1.47(b) is **GRANTED**.

As provided in 37 CFR 1.47(b), a notice of the filing of this application will be forwarded to the non-signing inventor at the last known address of record as set forth in the papers filed 10 August 2006 and a notice of the filing of the application under 37 CFR 1.47(b) will be published in the Official Gazette.

Applicant has completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 20 August 2004 under 35 U.S.C. 363, and a 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date of 10 August 2006.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.



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